

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW NATHANIEL DAVID PIONTEK,

Defendant.

Case No. 19-cr-93 (JRT/TNL)

**MOTION FOR FINAL
ORDER OF FORFEITURE**

The United States of America, through Erica H. MacDonald, United States Attorney for the District of Minnesota, and Craig R. Baune, Assistant United States Attorney, respectfully moves this Court for a Final Order of Forfeiture.

On December 18, 2019, this Court entered a Preliminary Order of Forfeiture, based on the Plea Agreement between the United States and Defendant Andrew Nathaniel David Piontek, forfeiting the following property to the United States pursuant to 18 U.S.C. § 2253(a):

- (1) a MacBook Pro laptop computer with serial #C02VW3XVHV2N;
- (2) an iPhone 7 model #A1660 with case, serial #DNPT503NHG7D;
- (3) an iPhone 6S model #A1633 with IMEI #354956074001798;
- (4) an Apple iPad with serial #DMPKPPWAF18¹;
- (5) San Disk thumb drive/WiFi device model #SDWS4;
- (6) A digital Camera containing a 64 GB Sandisk Pixtor SD Card, serial no. BN1528050252G;
- (7) A 128GB USB Thumb Drive, serial #BP180425831Z; and
- (8) a MacBook Pro laptop computer, serial number C02X81WPJHCD (together, “the Property”).

¹ This item was inadvertently listed without the “F18” at the end of the serial number in the Indictment and the Preliminary Order of Forfeiture. Both this motion and the publication of the Preliminary Order of Forfeiture listed the corrected serial number.

Pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 2253(b), third parties asserting a legal interest in the Property are entitled to a judicial determination of the validity of the legal claims or interests they assert.

The United States published notice of the Court's Preliminary Order of Forfeiture on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on May 1, 2020, in accordance with Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. (Dkt. No. 65.) The notice of forfeiture advised all unknown interested third parties of their right to petition the court within 60 days from the first date of publication for a hearing to adjudicate the validity of the alleged legal interest in the Property.

No third party has made any claim or declared any interest in the Property, and the time for filing a petition has expired. Pursuant to 21 U.S.C. § 853(n)(7), following the disposition of all third party petitions, or following the expiration of the time period provided by law for filing such petitions, the United States shall have clear title to the property that is the subject of the order of forfeiture.

Accordingly, the United States moves for a Final Order of Forfeiture vesting full right, title and interest in the Property in the United States and declaring the Property forfeited for disposition in accordance with law.

Respectfully submitted,

Dated: 1-19-2021

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United States Attorney

s/Craig Baune
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